

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
RECEIVING OFFICE (US)**

09/763 019

**In re Application of:** Ian EVANS et al  
**U.S. Serial Number:** 09/763,019  
**International Appln. No.:** PCT/GB99/02720  
**International Filing Date:** 17 August 1999  
**Title:** POLYNUCLEOTIDE SEQUENCES  
**Attorney Docket No.:** SYN-072 (Previously PPD 50355/US)

**CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR § 1.10**

I hereby certify that this correspondence and the enclosures referenced herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below in an envelope addressed to BOX PCT, Commissioner for Patents, Washington D.C. 20231. Express Mail No.: EL384947735US

Date: July 18, 2001

Patricia Corrigan

**BOX PCT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Enclosed herewith for filing with the above-identified patent application are the following documents:

1. Copy of Notification of Missing Requirements Under 35 USC 371 mailed 13 June 2001;
2. Response to Notification of Missing Requirements Under 35 USC 371;
3. Declaration for Patent Application;
4. Associate Power of Attorney;
5. Change of Correspondence Address; and
6. Return Postcard.

Respectfully submitted,

Date:

July 19, 2001

Colleen Superko

Colleen Superko  
Registration No. 39,850  
Attorney for Applicants

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BOSTON 1211741v1



UNITED STATES PATENT AND TRADEMARK OFFICE

09:763019

EVANS

PPL 53355 US *Syn 072*

SYNGENTA CROP PROTECTION, INC.  
2 RIGHTER PARKWAY  
P.O. BOX 15455  
WILMINGTON, DE 19850 5458

PCT GB99 02720

17 AUG 99

18 AUG 99

DATE MAIL

*16 JUN 2001*

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:
  - ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495)
  - ☒ U.S. Basic National Fee.
  - ☐ Indication of Small Entity Status.
  - ☒ Copy of the international application.
  - ☐ Translation of the international application into English.
  - ☐ Oath or Declaration of inventors(s).
  - ☐ Translation of Article 19 amendments into English.
  - ☐ Copy of Article 19 amendments.
  - ☐ Other:
  - ☐ Priority Document.
  - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
  - ☐ U.S. Basic National Fee.
  - ☐ Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
  - ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims to which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☒ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

**A copy of this notice MUST be returned with this response.**

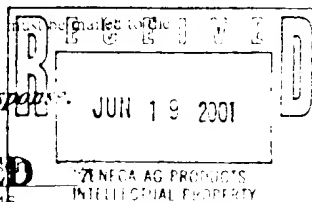
Enclosed: ☒ PCT/DO/EO/917  
☐ PTO-875

☐ Notice of Defective Translation  
☐ PCT/DO/EO/920

FORM PCT/DO/EO/915 (March 2001)

**RECEIVED**

Telephone: 703-308-9115



JUN 25 2001

COLLEEN SUPERKO  
IP DEPT.

Rec-PTO 19 JUL 2001  
09/763 019

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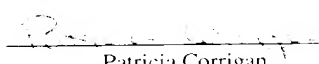
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Express Mail No.: EL384947735US

Date: July 19, 2001

  
Patricia Corrigan

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**BOX PCT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 USC 371 IN THE UNITED STATES ELECTED OFFICE**

Sir or Madam:

In response to the Notification of Missing Requirements mailed on 13 June 2001, applicants submit an executed Declaration for Patent Application for filing in the above-identified patent application.

No fee other than the \$130.00 surcharge for the late filing of the Declaration is deemed necessary in connection with this filing. The Assistant Commissioner is hereby authorized to charge the fee to Deposit Account No. 08-0219. The Assistant Commissioner

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International Application No. PCT/GB99/02720  
Attorney Docket No.: SYN-072  
Page Two

is also authorized to charge any other fee required to maintain the pendency of the application  
or to credit any overpayment to Deposit Account No. 08-0219.

Respectfully submitted,

Dated: \_\_\_\_\_

July 19, 2001

Colleen Superko

Colleen Superko  
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